

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA OF
NORTHERN DIVISION

| | | |
|------------------------|---|--------------------------|
| CEDRIC WHITE, #190709, |) | |
| |) | |
| Plaintiff, |) | |
| v. |) | CASE NO. 2:07-cv-304-MEF |
| |) | WO |
| RICHARD ALLEN, |) | |
| |) | |
| Defendant. |) | |

ORDER

After an independent review of the file, it is the ORDER, JUDGMENT and DECREE of the court that:

1. The plaintiff's objection (Doc. #9) to the Recommendation of the Magistrate Judge filed on June 11, 2007 is overruled;
2. The Recommendation of the Magistrate Judge (Doc. #8) filed on May 23, 2007 is adopted;
3. This case is DISMISSED without prejudice prior to service of process pursuant to the directives of 28 U.S.C. § 1915(e)(2)(B)(ii).

DONE this the 19th day of June, 2007

/s/ Mark E. Fuller
CHIEF UNITED STATES DISTRICT JUDGE